

Exhibit 2

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ORIGINAL

Case No. 00-1982 (GMS)

Counterplaintiffs,

JOHN WARTA,

Couderdefendant.

Volume I, Pages 1 to 196

Thursday, February 19, 2004

Reported By:
Janis Brown, CSR, RPR

1 the exact date.

2 Q. You also testified at some point in time that
3 your involvement in PF.Net, that you were ousted; is that
4 correct?

5 A. That's correct.

6 Q. Do you recall when that occurred?

7 A. Well, the process began when we did the deal
8 with Odyssey, which would be early 1999. It came as a
9 result of a constant barrage of GST-related litigation
10 and continual barrage of newspaper articles.

11 Q. When did the process conclude?

12 A. It concluded effective with the Odyssey
13 transaction. I was required at that point to step down
14 as chairman and CEO to accommodate the Odyssey
15 investment.

16 Q. How much did Odyssey invest?

17 A. 135 million.

18 Q. How much money did PF.Net raise all together?

19 A. 1.2 to 1.4 billion over time.

20 Q. When you say "over time," that's from 1999,
21 roughly, until when?

22 A. Cradle to grave.

23 Q. Cradle to grave?

24 A. Right.

25 Q. Had that been what was targeted to be raised?

1 A. Yes, I think that's accurate. Timing of when
2 it would be raised was different. Once I lost control of
3 that, the budget changed.

4 Q. Were there any significant dislocations in the
5 timing of the raising of that capital?

6 A. No.

7 Q. Okay.

8 A. Let me go back to that question. In terms of
9 dislocations, I'm assuming you mean timing of when money
10 was required and when money came in. There were numerous
11 issues during that period of time in which we had
12 expected outside parties to invest and, in fact, Koch and
13 Odyssey actually had to step in and shore up deals
14 because of the GST litigation.

15 Q. I'm sorry, Koch and Odyssey you said had to
16 step up?

17 A. Yes.

18 Q. In order to meet revenue needs that the company
19 had projected?

20 A. In order to fill out high-yield offering.

21 Q. Was PF.Net your -- let me ask this a different
22 way.

23 Are there other significant professional
24 engagements that you had between the time you left GST
25 until the time that you got involved with GST